

U.S. ARMY

# Information Guide for Civilian Employees who perform Active Military Duty

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10/15/2009

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# PURPOSE

On October 13, 1994, the Uniformed Services Employment and Reemployment Rights Act (USERRA) was passed. USERRA expanded the rights of employees entering Uniformed Services, therefore, giving employees options related to their employment and benefits. Federal civilian employees who are members of the Uniformed Services and who are called to active duty (or volunteer for active duty) are entitled to certain rights as well as continued benefits and entitlements.

This guide provides information for employees and managers about those rights and benefits and employee responsibilities to initiate certain actions and make elections when options are available.

Employee **MUST** report to the Civilian Personnel Office as soon as they are notified they are being called to active duty. Employee **MUST** also report to the Civilian Personnel Office as soon as they return from active duty.

Employee should address questions regarding their return rights to their manager or the Civilian Personnel Office. Questions regarding benefits and entitlements should be referred to a counselor at the Army Benefits Center – Civilian (ABC-C) at 1-877-276-9287.

Information regarding employee benefits and entitlements is also available on the ABC-C website at <https://www.abc.army.mil>

**Employee Assistance Programs (EAPs).** Employee Assistance Programs can be very helpful to employees and their families in coping with the stress and disruption associated with a call to active military duty. EAPs provide short-term counseling and referral services to help with financial, emotional and dependent care problems. These services are available to employees who have been called to active military duty (or who volunteer for military duty) and to employees who are family members of those performing active military duty. In addition, many EAPs offer services to family members of employees.

**Pay.** Employees performing active military duty will receive compensation from the Armed Forces in accordance with the terms and conditions of their military enlistment or commission. They will not receive any compensation from their civilian employing agency unless they select to use military leave or annual leave as described in the following pages.

# ENTERING ACTIVE DUTY

## Military Leave

You are entitled to time off at full pay for certain types of active or inactive duty in the National Guard or as a Reserve of the Armed Forces. If you are a full-time Federal civilian employee whose appointment is not limited to one year, you are entitled to military leave. Military leave under 5 U.S.C. 6323(a) is prorated for part-time career employees and employees on an uncommon tour of duty.

Military leave should be credited to a full-time employee on the basis of an 8-hour workday. The minimum charge to leave is one hour. You may be charged military leave only for the hours that you would otherwise have worked and received pay. If you request military leave for inactive duty training (which generally is 2, 4, or 6 hours in length), you will be charged only the amount of military leave necessary to cover the period of training and necessary travel. If you are a member of the Reserves or National Guard you will not be charged military leave for weekends and holidays that occur within the period of military service.

If you are working a 40-hour workweek, you will accrue 120 hours (15 days x 8 hours) of military leave in a fiscal year, or the equivalent of three 40-hour workweeks. Military leave under 5 U.S.C. 6323(a) will be prorated for part-time employees and for employees on uncommon tours of duty based proportionally on the number of hours in your regularly scheduled biweekly pay period.

Your civilian pay will remain the same for periods of military leave under 5 U.S.C. 6323(a), including any premium pay (except Sunday premium pay) you would have received if not on military leave. For military leave under 5 U.S.C. 6323(b) and (c), your civilian pay is reduced by the amount of military pay for the days of military leave. However, you may choose not to take military leave and instead take annual leave, compensatory time off for travel, sick leave, if appropriate, in order to retain both civilian and military pay.

**Leave Without Pay (LWOP-US)** The uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) generally requires an agency to place an employee entering the military on LWOP unless the employee chooses to be placed on military leave or annual leave, as appropriate, or the employee requests to be separated. Full time employees do not earn annual or sick leave in a pay period in which they have accumulated 80 hours of LWOP. In addition, part time employees on

LWOP also earn less annual and sick leave, since they earn leave based on the number of hours in a pay status.

## **Annual and Sick Leave**

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- When you enter on active duty you may choose to:
  - Have your annual leave remain to your credit until you return to your civilian position.
  - Receive a lump-sum payment for all accrued and accumulated annual leave.
- If you return to your civilian position prior to the end of the period covered by the lump sum, you will have to refund an amount equal to the pay that covers the period between the date of reemployment and the expiration of the lump sum leave period (5 U.S.C. 6306(a)).
  - Use all or a portion of accrued annual leave.
  - Annual leave is not earned while on LWOP-US or Separation-US.

Sick leave will be held in your leave account until you return to Federal civilian service. You do not earn sick leave while on LWOP-US or Separation-US.

## Federal Employees Dental & Vision Insurance Program (FEDVIP)

- **If you are currently enrolled** and you separate from employment to perform active military service, your FEDVIP enrollment ends. There is no 31-day extension or opportunity to convert. You may re-enroll within 60 days of return to civilian pay status from active military duty. If you enter LWOP-US, your enrollment will continue as long as you continue to pay the premiums. You should notify BENEFEDS (1-877-888-3337) as soon as you know you will be entering LWOP status in order to set up another premium payment method. When you return to civilian employment, notify BENEFEDS immediately so the premium payment method can be returned to deduction from salary (pre-tax). **If you are not enrolled in FEDVIP**, you may enroll in FEDVIP within 60 days of your return to civilian pay status from active military duty, if otherwise eligible.

## Federal Employees Group Life Insurance (FEGLI)

If you are enrolled in Federal Employees Group Life Insurance (FEGLI), coverage continues at no cost for up to 12 months in LWOP-US (nonpay) status. At the end of 12 months LWOP-US, the coverage terminates with a free 31-day extension of coverage and the right to convert to a private policy.

Public Law 110-181, the Department of Homeland Security Appropriations Act, enacted January 28, 2008, authorizes the continuation of FEGLI coverage for an additional 12 months, up to a total of 24 months, for Federal employees called to active duty. This new law allows you to elect to keep your FEGLI coverage for an additional 12 months. However, you must pay both the employee and agency share of the premiums for your Basic coverage, and also pay the entire cost for any Optional insurance you may have. You must complete the [Notice and Election Form](#) before the end of your 12 months in nonpay status or your FEGLI coverage will automatically terminate.

If you separate from Federal service (Separation-US) to enter military duty, you are considered to be in a non-pay status for FEGLI purposes. Coverage will continue for up to 12 months **or** until 90 days after your military service ends, whichever date comes first. The free 31-day extension of coverage and right to convert applies when coverage terminates. You also are eligible to elect to keep your FEGLI coverage for an additional 12 months, paying the entire cost of your Basic coverage and any Optional insurance. You must complete the [Notice and Election Form](#) before the end of the initial 12 months

or your FEGLI coverage will automatically terminate.

Being called to active duty or being sent to a combat zone does **NOT** cancel your FEGLI coverage. If a Federal employee with FEGLI is called to active duty and is killed during the 12 months that FEGLI coverage continues, or the additional 12 months if the election was made to extend FEGLI coverage, "regular" FEGLI death benefits are payable. Accidental death benefits are also payable under Basic (and Option A, if enrolled) unless you were in actual combat or nuclear weapons were being used at the time of the injury causing the death.

Regardless of how you entered active duty (LWOP-US or Separation-US), your FEGLI coverage will be reinstated upon your restoration to civilian duty, as long as your position is not excluded from FEGLI coverage. Separated employees have the option of electing additional coverage if separated 180 days or more.

## Federal Employees Group Health Benefits (FEHB)

If called to active duty for 30 days or less, your Federal Employees Health Benefits (FEHB) coverage will continue without change. However, be sure to complete and submit a new [checklist](#) if your orders are changed so that your period of duty is more than 30 days.

If called to active duty for more than 30 days, your FEHB coverage (if enrolled) will continue for up to 24 months **unless** you elect, **in writing**, to terminate. This applies to LWOP-US and Separation-US, whether the active duty is in support of a contingency operation or not.

You may be entitled to agency payment of your FEHB premiums if the active military duty is in support of a contingency operation.

**Terminating Your Enrollment:** If you don't want to continue your FEHB enrollment while on active military duty, you **must** elect to terminate **in writing** within 31 days of your date of entrance on active duty. Please use the [checklist](#) for this purpose. Do **not** use the ABC-C automated phone system or EBIS web application. The effective date of termination of your FEHB coverage will be the day before entering on active duty.

**Please note:** You may **not** elect to terminate your enrollment if you are subject to a court or administrative order to provide health benefits for your children.

**When Active Duty is in Support of a Contingency Operation:** The Agency will pay your FEHB premiums for up to 24 months for each period of active duty if you meet **all** the following requirements:

- you are enrolled in an FEHB plan;
- you are a member of a Reserve component of the armed forces;
- you are called or ordered to active duty in support of a contingency operation as defined in Title 10 U.S.C. Section 101(a)(13);
- you are placed on LWOP or separated from civilian service to perform active duty;
- you serve on active duty for more than 30 consecutive days; and
- you complete and submit the checklist

## **Active Duty Is NOT in Support of a Contingency Operation**

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The 24-month period begins on the date of entrance on active duty specified in your orders. Non-refundable FEHB premiums will be deducted from any pay you receive for military leave, annual leave, compensatory time or credit hours during the 24-month period. Leave used during the 24-month period. Leave used during the 24-month period does **NOT** extend the 24-month period.

You are responsible for paying the employee share of the premium for the first 12 months, and both the employee **and** the government shares plus a 2% administrative fee for the following and final 12 months. You may choose to pay the premiums for the first 12 months on a current basis or incur a debt. If you elect to incur a debt, the premiums will be deducted from your salary when you return to duty, on a pre-tax basis, if you are participating in premium conversion. If you elect to make payments on a current basis they will be on an after-tax basis. Current payments for FEHB premiums should be made every two pay periods by check or money order payable to the Deputy Director for Finance and mailed to the following address: **DFAS-Cleveland, ATTN: GAG/CL, PO Box 998019, Cleveland, OH 44199-8019**. Include a note that the payment is for your FEHB premium, the pay periods for which the payment is being made, and include your name and Social Security number on the check or money order and all correspondence. During the final 12 months, premiums **must** be paid to DFAS on a current basis or your enrollment will terminate.

If you are still on active duty at the end of 24 months, your enrollment will terminate with a 31-day free extension of coverage and the right to convert to a private policy. It will be automatically reinstated when you return to civilian duty, regardless of whether the termination occurred due to reaching 24 months or because you failed to pay your premiums on a current basis during the final 12 months.

## Flexible Spending Account (FSA)

**LWOP-US.** If you are enrolled in FSAFEDS, you must notify them as soon as you know you are going to be in a LWOP status. Contact an FSAFEDS benefits counselor toll-free at 1-877-372-3337, Monday through Friday, 9:00 am to 9:00 pm Eastern Time. FSA allotments are not withheld when you enter LWOP. If you have not accelerated (pre-paid) your allotment, your FSA account(s) will be frozen, and you will be ineligible for reimbursement of any health care expenses incurred during that period until the benefit period ends or until you return to civilian pay status and begin making allotment payments again. Dependent care expenses incurred may be reimbursed up to your account balance for that benefit period. LWOP-US is considered a Qualifying Life Event (QLE) and you will have additional options regarding your allotments. For more information, refer to the "Leave Without Pay (LWOP)" and "Qualifying Life Event (QLE)" Quick Reference Guides, located on the FSAFEDS website at <https://www.fsafeds.com/fsafeds/literature.asp>. If you return to civilian pay status after the end of the benefit period, you will have another opportunity to enroll in the FSA program.

**Separation-US.** Your participation ends when you separate. There are no extensions. Any health care expenses incurred prior to the date of separation are still reimbursable (if there is any money left in your account). You can use the remaining balance in your Dependent Care FSA account to pay for eligible dependent care expenses until the end of the benefit period or your account balance is used up, whichever comes first. You may enroll in the FSA program on return to civilian employment if otherwise eligible.

## Long Term Care Insurance (LTCI)

If you are enrolled, Long Term Care Insurance (LTCI) continues when you enter LWOP-US or separate from employment (Separation-US), as long as you continue to pay the premiums. If your premiums are being deducted through payroll deduction, you must contact LTC Partners to select a different payment option, such as direct billing or automatic bank withdrawal. Upon release from active duty and return to a civilian pay and duty status, contact LTC Partners again if you wish to go back to payroll deduction. Contact LTC Partners at 1-800-582-3337 or via the Web at [www.ltcfed.com](http://www.ltcfed.com).



# Retirement

Your period of military service is creditable for civilian retirement under FERS or CSRS (includes CSRS Offset), subject to the rules for crediting military service as follows:

- **If you were first hired under CSRS before 10-01-1982:** The period of military service is creditable toward **potential** civilian retirement and annuity computation without making a service credit deposit. However, if you choose not to make the deposit and are eligible for Social Security at age 62, credit for the military service will be deleted and your annuity will be recomputed downward when you reach age 62 (whether or not you apply for Social Security). Commonly called "Catch 62," you may ensure continued retirement credit for military service by making the military deposit.
- **If you are covered by FERS, or if you were first hired under CSRS after 09-30-1982:** The period of military service is creditable toward civilian retirement **only** if you pay the military deposit.
- **If you were first hired under CSRS before 10-01-1982 but later elected FERS:** If the period of military service occurs after the date you become covered by FERS, the military service is creditable for civilian retirement **only** if you pay the military deposit.

It is in your best interest to inquire about making the military deposit immediately on return to civilian duty, especially if you want to avoid paying interest. The deposit must be completed within 3 years of your return to a civilian pay status or interest will be assessed. If you are restored to civilian duty under USERRA provisions, the deposit is the lesser of 7% for CSRS or 3% for FERS of the military basic pay **OR** 7% for CSRS or 0.8% for FERS of civilian pay.

**Keep ALL civilian Leave and Earnings Statements (LESSs)** that show pay received for intermittent leave used while on LWOP-US (e.g., military leave, annual leave, compensatory time, credit hours). You are not required to pay for these periods.

**Death and disability benefits:** If you are placed on LWOP-US, you continue to be covered by retirement law (CSRS or FERS). Death benefits will be paid to your survivors as if you are still in the civilian position. Disability benefits will be paid under the applicable retirement system if you become disabled for your civilian position during LWOP-US and have the minimum amount of creditable civilian service necessary for entitlement to disability benefits (5 years for CSRS, 18 months for FERS).

Survivors of employees who separate from Federal service to perform active military duty (Separation-US) and die before electing a refund of retirement contributions are eligible for survivor benefits paid upon the death of a former employee - this may or may not include a survivor annuity.

## Thrift Savings Plan (TSP)

No contributions can be made to your civilian TSP account while you are on LWOP-US or Separation-US, including agency contributions (for FERS). However, if you are reemployed or restored to a position covered by FERS or CSRS (including CSRS Offset) in accordance with USERRA (38 U.S.C. 43), you may make up missed TSP contributions.

If you contribute to your uniformed services TSP account while on military duty, the amount of civilian employee contributions you can make up will be reduced by the amount of your contributions to your uniformed services account.

If otherwise eligible, and you are covered by FERS, you will receive agency matching contributions as you make up employee contributions, as well as make-up agency 1% automatic contributions for the entire period missed as a result of military service, **whether or not** you make up missed employee contributions.

In addition, if you are FERS and you contribute to your uniformed services TSP account while on active duty, you are entitled to make-up agency matching contributions in your civilian account based on the contributions that were deducted from your **basic pay** received while performing active duty. This is true **whether or not** you make up **civilian** employee contributions, although if you receive uniformed services matching contributions, your make-up agency matching contributions must be reduced by the amount of your uniformed services matching contributions.

If you have a TSP loan you should send a copy of your LWOP-US Notification of Personnel Action (LWOP-US SF 50) to the **Thrift Savings Plan, PO Box 385021, Birmingham, AL 35238**, or fax it to 1-866-817-5023.

You cannot repay your civilian TSP loan by making loan allotments from your uniformed services pay. However, you can make direct payments on your loan while in a nonpay status by sending a personal check or money order to the TSP. Be sure to write your Social Security number and loan number on the check or money order, and send it with a TSP Loan Payment Coupon. The Loan Payment Coupon is available on the TSP website, <http://www.tsp.gov/>, under miscellaneous forms.

When you return to pay status, TSP must be notified of your date of return. Your TSP loan must resume when you return to pay status. If your loan payments have not been kept up to date, your loan will be reamortized automatically.

For more information, please see the Fact Sheet *Effect of Nonpay Status on TSP Participation*, available at the TSP website, <http://www.tsp.gov/>.

# TRICARE

- **TRANSITIONAL TRICARE and TRICARE RESERVE SELECT:** If you are a Reserve or National Guard component member called to active duty in support of a contingency operation and the period of active duty is more than 30 days, you and your eligible family members may be eligible for 180 days of transitional TRICARE benefits as authorized by the National Defense Authorization Act for 2005 (P. L. 108-375). In addition, if the period of active duty is 90 or more days, you may also be eligible to purchase TRICARE Reserve Select (TRS) coverage. Contact your Service representative or nearest uniformed services ID card facility prior to separation from active duty to verify eligibility for both types of coverage.

**NOTE:** Effective October 1, 2007, employees who are eligible for health insurance coverage under the FEHB Program are **excluded** from coverage under TRICARE Reserve Select.

Transitional TRICARE coverage begins the day after separation from active duty. TRICARE Reserve Select coverage generally begins the day after transitional TRICARE ends. The length of time you may be enrolled in TRS is based on several requirements – contact your Service representative for this information.

If your FEHB enrollment terminates while on active duty, you may waive immediate reinstatement upon return to civilian duty if you don't want FEHB coverage while using Transitional TRICARE and/or TRICARE Reserve Select.

- If your FEHB enrollment does not terminate while on active duty but you do not want FEHB coverage while using TRICARE, you may **cancel** your FEHB enrollment within 60 days of return to duty via EBIS or the IVRS phone system. The time not covered by FEHB will not count as a break in the 5 years continuous coverage needed to carry FEHB into retirement as long as you provide a copy of the TRICARE Prime enrollment form showing your transitional TRICARE enrollment effective the day after release from active duty, **and**, if you enroll in TRICARE Reserve Select (TRS), the enrollment form showing the effective and ending dates of TRS coverage, **and** you re-enroll in FEHB within 31 days before to 60 days after the date transitional TRICARE or TRS coverage ends.

## **RETURNING FROM ACTIVE DUTY**

An Employee who enters active military duty (voluntarily or involuntarily) from any position, including a time limited position, has full job protection, provided he or she applies for reemployment within the following time limits:

- Employees who served less than 31 days must report back to work at the beginning of the next scheduled workday following their release from service and the expiration of 8 hours after a time for safe transportation back to the employee's residence.
- Employees who served more than 30 days, but less than 181 days, must apply for reemployment within 14 days of release by the military.
- Employees who served more than 180 days have 90 days to apply for reemployment.

Employees who served less than 90 days must be restored to the position for which qualified that they would have attained had their employment not been interrupted. Employees who served more than 90 days have essentially the same rights, except that the agency has the option of placing an employee in a position for which qualified of like seniority, status and pay.

Upon return or restoration, an employee generally is entitled to be treated as though he or she had never left for purposes of rights and benefits based upon length of service. This means that the employee must be considered for career ladder promotions, and the time spent in the military will be credited for seniority, successive within-grade increases, probation, career tenure, annual leave accrual rate and severance pay. An employee who was on a time limited appointment serves out the remaining time, if any, left on the appointment. (The military activation period does not extend the civilian appointment).

An employee performing active military duty is protected from reduction in force (RIF) and may not be discharged from employment for a period of one year following separation. (6 months in the case of a Reservist called to active duty under 10 USC 12304 for more than 30 days, but less than 181 days, or ordered to an initial period of active duty for training of not less than 12 consecutive weeks), except for poor performance or conduct or for suitability reasons.

**Appeal Rights.** An employee or former employee of an agency in the executive branch who is entitled to restoration in connection with military duty may appeal an agency's failure to properly carry out the law directly to the Merit Systems Protection Board (MSPB), or the employee may first submit a complaint to the Department of Labor, which will attempt to resolve it. If resolution is possible, the Department may present the case to the Office of the Special Counsel, which may represent the employee in an

appeal to the MSBP. Appeals to the Board must be submitted within 30 calendar days after the effective date of the action being appealed.

## **Annual and Sick Leave**

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**ANNUAL LEAVE:** Unless you chose to receive a lump sum payment of your annual leave when you entered active military service, your annual leave account will automatically be restored on your return to a pay and duty status.

**SICK LEAVE:** Your sick leave balance will automatically be restored when you return to your civilian position.

## **Federal Employees Dental & Vision Insurance Program (FEDVIP)**

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**If you are enrolled in FEDVIP:** When you return to civilian employment, notify BENEFEDS (1-877-888-3337) immediately of your return to duty so premium payments can be returned to deduction from your salary (pre-tax) rather than from your military pay.

**If you are not enrolled in FEDVIP:** You may enroll in FEDVIP within 60 days of your return to civilian pay status from active military duty, if otherwise eligible.

## **Federal Employees Group Life Insurance (FEGLI)**

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If enrolled, your FEGLI coverage continued for 12 months at no cost to you during LWOP-US. You also had the option to elect to continue your FEGLI coverage for an additional 12 months, paying the entire cost of the insurance during that period. On return to civilian duty, payroll will automatically start deductions for your coverage. If your FEGLI terminated prior to your release from active duty, it will be reinstated on your return to your civilian position.

## Federal Employees Health Benefits (FEHB)

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FEHB will immediately be reinstated on restoration to civilian employment if you elected to terminate coverage while on active duty, or if your coverage terminated prior to your release from active duty.

If you cancelled your FEHB enrollment via EBIS, you are not eligible for reinstatement of your FEHB upon restoration to civilian duty. You may re-enroll in FEHB within 60 days of the date of restoration to pay and duty status.

Because you are returning from military service, you are eligible to make another health benefits election within 60 days of the date of restoration.

You may make a new premium conversion election within 60 days of returning to civilian duty.

## Retirement

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Your period of military service is creditable for civilian retirement under FERS or CSRS (includes CSRS Offset), subject to the rules for crediting military service as follows:

**Employees first hired under CSRS before 10-01-1982.** The period of military service is creditable toward **potential** civilian retirement and annuity computation without making a service credit deposit. However, if you choose not to make the deposit and are eligible for Social Security at age 62, credit for the military service will be deleted and your annuity will be recomputed downward when you reach age 62 (whether or not you apply for Social Security). Commonly called "Catch 62," you may ensure continued retirement credit for military service by making the military deposit.

**Employees covered by FERS, and those first hired under CSRS after 09-30-1982.** The period of military service is creditable toward civilian retirement **only** if you pay the military deposit.

**Employees first hired under CSRS before 10-01-1982 but who later elect FERS.** If the period of military service occurs after the date you become covered by FERS, the military service is creditable for civilian retirement **only** if you pay the military deposit.

It is in your best interest to inquire about making the military deposit immediately on

return to civilian duty, especially if you want to avoid paying interest. The deposit must be completed within 3 years of your return to a civilian pay status or interest will be assessed. If you are restored to civilian duty under USERRA provisions, the deposit is the lesser of 7% for CSRS or 3% for FERS of the military basic pay **OR** 7% for CSRS or 0.8% for FERS of civilian pay.

**Keep ALL civilian Leave and Earnings Statements** that show pay received for intermittent leave used while on LWOP-US (e.g., military leave, annual leave, compensatory time, credit hours). You are not required to pay for these periods.

**Death and disability benefits:** If you are placed on LWOP-US, you continue to be covered by retirement law (CSRS or FERS). Death benefits will be paid to your survivors as if you are still in the civilian position. Disability benefits will be paid under the applicable retirement system if you become disabled for your civilian position during LWOP-US and have the minimum amount of creditable civilian service necessary for entitlement to disability benefits (5 years for CSRS, 18 months for FERS).

Survivors of employees who separate from Federal service to perform active military duty (Separation-US) and die before electing a refund of retirement contributions are eligible for survivor benefits paid upon the death of a former employee - this may or may not include a survivor annuity.

## Thrift Savings Plan (TSP)

If you were contributing to your civilian TSP account when you entered LWOP-US, your contributions will automatically resume when you return to duty. You may change or stop contributions at any time after returning to duty. You can process this either on the web using [EBIS](#) or through the [ABC-C telephone system](#). If you were contributing to TSP when you started LWOP-US and later used the ABC-C phone system or EBIS to stop contributions, then your contributions will **not** automatically resume upon restoration to duty. Instead you may process a new election to begin TSP contributions at any time after returning to duty.

You may submit a TSP election for contribution changes you missed while on active duty. Complete a [TSP-1](#) Thrift Savings Plan Election Form for those changes and fax to the ABC-C with the TSP Make-Up information sheet for CSRS or FERS. Include a copy of your military orders.

Upon returning from active duty, you may make up contributions to civilian TSP account for the period of time missed as a result of your military service. If you contributed to your uniformed services TSP account while on active duty, the amount of employee

contributions you make may make up must be reduced by the amount of your contributions to your uniformed services TSP account. Lost earnings are not paid on employee contributions. For more information on TSP Make-Up please click [here](#).

If you have a TSP loan, you will need to notify the TSP that you have returned to pay status.

## TRICARE

If you were called to active duty in support of a contingency, you may be eligible for transitional TRICARE benefits for up to 180 days after separation from active duty. If you are enrolled in both FEHB and TRICARE, FEHB is the primary payer.

If you wish to have only TRICARE coverage and your FEHB coverage terminated before your return to civilian duty, you may waive immediate reinstatement of your FEHB coverage to use the transitional TRICARE. To do this, you must complete the Waiver of Immediate FEHB Reinstatement by clicking [here](#). It is important that you re-enroll in FEHB within 60 days of the date your transitional TRICARE ends, to avoid a break in the 5 years of continuous coverage needed to be eligible to continue FEHB in retirement. You can make this election on the [EBIS](#) website or through the [ABC-C telephone system](#).

If your FEHB enrollment is still in effect when you return to civilian duty and you don't want to continue it while using transitional TRICARE coverage, you may elect to cancel your FEHB enrollment within 60 days of your return to duty. (Note: You cannot use the Waiver form above to do this.)

If you are participating in premium conversion, you will need to contact an ABC-C counselor using the [ABC-C telephone system](#) to process the cancellation of your FEHB.

If you are not participating in premium conversion, you may process this cancellation using the [EBIS](#) website or through the [ABC-C telephone system](#).

## Flexible Spending Account (FSA)

**LWOP-US.** When you return to civilian pay status after the end of the benefit period, you will have another opportunity to enroll in the FSA program. For more information, refer to the "Leave Without Pay (LWOP)" and Qualifying Life Event (QLE)" Quick Reference Guides, located on the FSAFEDS website at <https://www.fsafeds.com/fsafeds/literature>. You can also contact an FSAFEDS benefits counselor toll-free at 1-877-372-3337, Monday through Friday, 9:00 am to 9:00 pm



Eastern Time.

**Separation-US.** You may enroll in the FSA program on return to civilian employment, if otherwise eligible

## Long Term Care Insurance (LTCI)

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If you were enrolled in Long Term Care Insurance (LTCI) and changed your billing option while on LWOP-US, you will need to contact LTC Partners at 1-800-582-3337 if you wish to change the billing option back to payroll deduction. If your LTC premiums were being deducted from your military pay, contact LTC Partners to switch your payroll identifier number.

If eligible, you can apply for LTCI using the application information available at [www.ltcfeds.com](http://www.ltcfeds.com).

## EMPLOYEE REQUEST FOR TSP MAKE-UP CONTRIBUTIONS

Date:

Memorandum for the Army Benefits Center – Civilian, Building 301 Marshall Avenue, Fort Riley, KS  
66442-5004

Subject:: TSP Make-Up Contributions While on Active Duty

I wish to make-up my missed TSP contributions while on active duty.

Name: \_\_\_\_\_

SSN: \_\_\_\_\_

Home Address: \_\_\_\_\_

\_\_\_\_\_

Phone numbers:

Work: \_\_\_\_\_

Home: \_\_\_\_\_

Dates of active duty: \_\_\_\_\_

\_\_\_\_\_.

Enclosed you will find:

☐ DD 214(s) or military orders showing to and from dates of activation.

☐ Military Leave and Earnings Statements (LEs) for verification of TSP contributions while on active duty

Employee's Signature and Date: \_\_\_\_\_

## NOTICE AND ELECTION FORM

### FEDERAL EMPLOYEES' GROUP LIFE INSURANCE (FEGLI) PROGRAM

#### ELECTION FORM: EXTENSION OF COVERAGE WHEN CALLED TO ACTIVE DUTY

Name of Employee: \_\_\_\_\_ Date: \_\_\_\_\_

***You must make your election on this notice and return it to the employing office before the end of your 12 months in nonpay status or your FEGLI coverage will automatically terminate at that time.***

Public Law 110-181, the Department of Homeland Security Appropriations Act, enacted January 28, 2008, authorizes the continuation of FEGLI coverage for an additional 12 months, up to a total of 24 months, for Federal employees called to active duty in the uniformed services.

We have determined that you are eligible to continue your FEGLI coverage. Currently, if you are in a nonpay status on the agency rolls while on active duty, the FEGLI coverage continues free for 12 months. If you separate to go on military duty, for FEGLI purposes, you are also considered to be in nonpay status. FEGLI continues free for 12 months or until 90 days after military service ends, whichever date comes first. At that time, the coverage terminates, subject to a 31-day extension of coverage and the right to convert to an individual policy.

The new law allows you to continue FEGLI coverage and or reduce the coverage of any optional insurance for an additional 12 months. Then, it will end with a right to convert to an individual policy. During the additional 12 months of coverage, you must pay both the employee and agency share of premiums for Basic coverage and the full premium for any Optional coverage (there is no agency contribution). The new law allows coverage to continue only for the additional 12 months.

You have two choices: (1) Elect to have your FEGLI coverage terminate at the end of the first 12 months of nonpay status or (2) elect to continue the coverage for an additional 12 months and agree to pay the premiums for this additional time period.

If you wish to continue your FEGLI coverage for an additional 12 months, you must agree to the following terms and conditions. Please indicate your election on this notice by writing your initials next to your election, and print your name and sign your full signature where requested.

**TERMINATION:** If you indicate in the notice that you elect to terminate your FEGLI coverage at the end of the first 12 months in nonpay status or if we do not receive a completed election form from you prior to the end of the first 12-month period, your FEGLI coverage will be terminated at the end of 12 months in nonpay status. Your coverage will continue for an additional 31 days at no cost to you. During those 31 days, you will be eligible to convert to an individual policy and you will be given information regarding your right to convert to an individual policy.

**CONTINUATION:** If you elect to continue your FEGLI coverage, you must pay the premiums, both the employee and agency share, for Basic coverage and the full premium for any Optional coverage. You must submit payments directly to the designated Payroll Disbursing Office on a bi-weekly pay period as instructed by your employing agency. Employees will be permitted to send in advance payments due to the sensitivity of their mission and possible delay of mail service at various locations.

## Notice and Election Form

I have read this notice, and I understand my choices.

- \_\_\_\_\_ I elect to terminate my FEGLI coverage at the end of 12 months in nonpay status, subject to a 31-day extension of coverage and the right to convert to an individual policy. I understand that the coverage will be reinstated automatically upon my return to work in pay and duty status in a FEGLI-eligible position.
- \_\_\_\_\_ I elect to continue my FEGLI coverage for an additional 12 months after completion of my first 12 months in nonpay status. By choosing to continue coverage I agree to pay the applicable premiums, both the employee and the agency share for Basic coverage and the full premium for any Optional coverage, for each additional month after the first 12 months in nonpay status. My failure to pay the premiums on a bi-weekly basis within the required timeframe (FEGLI coverage will terminate after two consecutively missed payments) will constitute a voluntary cancellation of my coverage, subject to the 31-day extension of coverage and the right to convert to an individual policy.
- \_\_\_\_\_ I elect to continue and reduce my FEGLI coverage for an additional 12 months after completion of my first 12 months in nonpay status. By choosing to reduce my FEGLI coverage I agree to pay the applicable premiums, both the employee and the agency share for Basic coverage and the full premium for any Optional coverage, for each additional month after the first 12 months in nonpay status. My failure to pay the premiums on a bi-weekly basis within the required timeframe (FEGLI coverage will terminate after two consecutively missed payments) will constitute a voluntary cancellation of my coverage, subject to the 31-day extension of coverage and the right to convert to an individual policy. *A letter must accompany this form outlining the FEGLI coverage that you would like to become effective after your initial 12 months.*

*Upon return of the completed form, your Human Resources Office will provide you with additional information to include the bi-weekly cost of premiums, effective date, timelines, copy of the payroll remittance form, and explanation on what happens when premiums not received. The cost of your*

***premiums are subject to change due to the coverage that you elect, increase in pay, and changes to age groups which are used to calculate the cost of FEGLI coverage. Upon your return to duty, your FEGLI coverage will be restored to the election which was in place prior to being placed in a nonpay status. Your servicing Human Resource Office Representative must fax this form to the Defense Civilian Payroll, Fax# (317) 510-9771 or DSN 699-9771.***

\_\_\_\_\_

(Employee's Name – Please Print)

\_\_\_\_\_

Employee's Social Security Number

\_\_\_\_\_

(Employee's Signature)

\_\_\_\_\_

(Date)

\_\_\_\_\_

(Employing Agency Representative Name)  
(PRO)

\_\_\_\_\_

Employee's Payroll Office Identification

(i.e. The PRO ID is an eight digit number such as 97380200, 97380300, 97390600 etc. shown on the LES.)

\_\_\_\_\_

(Employing Agency Representative Signature)

\_\_\_\_\_

(Date)

If you have any questions, contact \_\_\_\_\_ via email  
\_\_\_\_\_ or phone, \_\_\_\_\_.

*[Insert name, email address, and phone number of agency contact]*

**Continuation of Federal employees Group Life Insurance (FEGLI)**  
**Coverage**  
**REMITTANCE FORM**

Employees must include a copy of this form with each payment submitted to the DFAS-CL Disbursing Office. Your check should be made payable to DFAS-CL DSSN 8522. Your payment and remittance form should be mailed to the DFAS-CL Disbursing Office address below:

For employees paid by DFAS **Cleveland** Payroll Office with a Payroll Office ID of:

97380600, 97380700, 97381400, 97381500, 97381800 mail to:

DFAS-CL Disbursing

**P. O. Box 998010**

Cleveland, OH 44199-8010

For employees paid by DFAS **Indianapolis** Payroll Office with a Payroll Office ID of:

97380100, 97380500, 97380800, 97381000, 97381100, 97381200, 97381600, 97381700  
mail to:

DFAS-CL Disbursing

**P. O. Box 998009**

Cleveland, OH 44199-8009

I understand in order for my FEGLI Coverage to continue beyond the first 12 months while I am not in a pay status that I am responsible for submitting both the employee portion as well as the agency contribution towards the FEGLI premium in no less than one biweekly amount.

Employee's Name \_\_\_\_\_ SSN: \_\_\_\_\_  
(Please print name as listed on your Leave and Earning Statement (LES))

Payroll Office ID Number \_\_\_\_\_

(The payroll office ID Number is an eight digit number such as 97380200, 97380300, 97390600 etc. shown in the REMARKS section of your LES)

My biweekly payment of both employee and employer share of the FEGLI premium in the amount of \$\_\_\_\_\_is enclosed.

THIS FORM CONTAINS INFORMATION SUBJECT TO THE PRIVACY ACT OF 1974 AS AMENDED.